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Eighteenth report of the Secretary-General pursuant to paragraph 4 of Security Council resolution 2107 (2013)

I. Introduction

1. The present report, submitted pursuant to paragraph 4 of Security Council resolution 2107 (2013), covers developments pertaining to the issues of missing Kuwaiti and third-country nationals and missing Kuwaiti property, including the national archives, since the issuance of my previous report, dated 15 January (S/2018/40).

2. On 11 January 2018 in Kuwait, my Special Representative and Deputy Special Representative met with the Deputy Prime Minister and Minister for Foreign Affairs of Kuwait, Sheikh Sabah Khalid Al Hamad Al Sabah, who underlined that, notwithstanding positive steps taken by the Government of Iraq over the past few years, no concrete progress had been achieved on the file of missing Kuwaiti persons and property. Sheikh Al Sabah highlighted the importance of the relevant government institutions of Iraq exerting greater effort in the search for both missing persons and missing property, in particular the national archives. My Special Representative reaffirmed the commitment of the United Nations Assistance Mission for Iraq (UNAMI) to implementing the Security Council mandate, outlining some of the Mission's current activities, including accessing high-resolution and satellite imagery and facilitating the transfer of technical skills.

II. Recent activities with regard to the repatriation and return of all Kuwaiti and third-country nationals, or their remains

3. During the reporting period, the Ministry of Defence of Iraq continued to investigate a number of potential burial locations, including the Sabahiyah and naval base sites in Kuwait and the Khamisiyah, Radwaniyah, Suleimaniyah and Salman Pak sites in Iraq. As part of those efforts, the Ministry followed up with witnesses, as well as with relevant government bodies, to verify all acquired information in an effort to identify exact burial locations. While no new developments were registered, the sites in question will remain open as the Ministry continues to search for more information. The technical team of the Ministry also undertook exploration and excavation works at the Khamisiyah, Karbala' and Samawah sites. No human remains or grave-like features were found. Results from the exhumations conducted in October 2017 at potential burial locations in Basrah and Najaf were, unfortunately, negative. Calls for witnesses, most recently on 29 January 2018, inviting those with information on missing Kuwaiti persons and missing Kuwaiti property to come forward, continue to

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be broadcast regularly on satellite television channels by the Office of the Spokesperson of the Ministry of Defence of Iraq. The International Committee of the Red Cross (ICRC) has provided much needed technical assistance to the Ministry, donating forensic equipment in support of field work.

4. On 6 February 2018 in Kuwait, UNAMI attended, in its observer capacity, the 102nd session of the Technical Subcommittee of the tripartite mechanism. The Iraqi, Kuwaiti and ICRC delegations emphasized the critical importance of satellite and aerial imagery in identifying potential burial locations and reiterated a request to other members of the mechanism to provide imagery or analysis of imagery from 1990 and 1991. In support of this, members approved the offer by UNAMI to share areas of interest with the Global Service Centre in Brindisi, Italy, in order to check the availability of satellite imagery. The Iraqi delegation also submitted a request to the members of the tripartite mechanism for technical assistance, including training on the use of ground-penetrating radar, as well as on properly documenting field work in compliance with the ICRC review project recommendations relating to the application of appropriate methodology. ICRC and UNAMI are currently studying how best to assist, drawing on available expertise and resources. As a follow-up to the 13 November 2017 visit to the Committee on Missing Persons in Cyprus, UNAMI explored the possible use of metal detectors in search of potential burial sites. Consultations with the United Nations Mine Action Service in Iraq have, however, revealed that metal detectors would not be suitable as a primary search tool, although they could prove useful in complementing the search. The members of the tripartite mechanism have decided to hold a one-day meeting of the sub-advisory working group on 22 April 2018 specifically to consider the findings and recommendations of the ICRC review project. Comments from members will form the basis of a plan of action intended to streamline and prioritize the work of the mechanism and guide its future efforts.

5. On 26 March 2018, my Special Representative met in Baghdad with the Minister of Defence of Iraq, Irfan al-Hayali, and underlined that the file of missing Kuwaiti persons remained high on my agenda. He further welcomed the hosting by Iraq of the next meetings of the tripartite mechanism in Baghdad. Mr. Al-Hayali stressed the resolve of the Ministry to continue playing a proactive role with respect to this important humanitarian dossier.

III. Recent activities with regard to the return of Kuwaiti property

6. During the reporting period, UNAMI reiterated to the Ministry of Foreign Affairs of Iraq its readiness to facilitate and observe the official handover of located Kuwaiti property and offered assistance in transporting by air the itemized Kuwaiti books currently located at the Ministry, once agreement has been reached between the two States on the dates of the handover. UNAMI continues to work with the Ministry on how best to implement and expedite the process.

IV. Observations

7. Achieving concrete results on the file of missing Kuwaiti and third-country nationals and missing Kuwaiti property, including the national archives, is essential for the full normalization of relations between Iraq and Kuwait. I welcome the dedication demonstrated by both Member States in ensuring that this file receives substantial and continued attention.

8. I commend the efforts of the Ministry of Defence of Iraq on reviving the search for missing Kuwaiti persons and its disposition to take on board requests, recommendations and advice from Kuwaiti counterparts and members of the tripartite mechanism. Moving the file forward after a 13-year absence of tangible results requires commitment, determination and a willingness to employ new and innovative methods. I look forward to constructive discussions between members of the tripartite mechanism on implementing recommendations and findings arising from the ICRC review project, which have the potential to reinvigorate the file. UNAMI stands ready to provide support and assistance, guided by the valuable advice of ICRC and the needs of the tripartite mechanism. With this in mind, I strongly encourage Member States, and particularly members of the mechanism, to provide any information or documentation available that could help to identify burial locations and respond to the requests of the Government of Iraq for technical and forensic assistance.

9. I remain disappointed that there have been no developments with regard to the missing Kuwaiti property and reiterate the call for the Ministry of Foreign Affairs of Iraq to expedite the official handover of located Kuwaiti books. Much more needs to be done to bolster the search for the invaluable Kuwaiti national archives.

10. I reaffirm the unwavering commitment of my Special Representative and Deputy Special Representative, as well as of UNAMI staff, to playing an active role in this important humanitarian endeavour by continuing to promote, support and facilitate the efforts of the Government of Iraq towards this end.